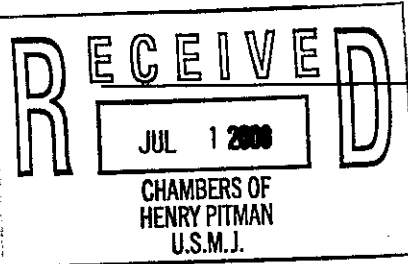




United States Attorney
Southern District of New York



USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/2/08

86 Chambers Street
New York, New York 10007

June 30, 2008

By Hand

Hon. Henry Pitman
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 750
New York, New York 10007

*THE SCHEDULE PROPOSED
HEREIN IS APPROVED.*

SO ORDERED

Re: Robert Henderson v. Astrue
07 Civ. 10564 (HBP)

Henry Pitman
HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE
7-1-08

Dear Judge Pitman:

This Office represents the Commissioner of Social Security, the defendant in this action. We write respectfully to request an extension of the briefing schedule.

Plaintiff has filed a motion for the judgment on the pleadings and the Government's motion for judgment on the pleadings was due by June 30, 2008. While drafting the Government's brief, however, we encountered an issue that required this Office to seek further information from the agency. We have asked the Social Security Administration to provide us with an answer to our concerns, which could result in change of the defendant's litigation position in this action. In view of the foregoing, I respectfully request that the Court approve the following schedule:

Defendant will cross-move for judgment on the pleadings by July 30, 2008.

Plaintiff's reply, if any, is due on or before August 15, 2008.

Defendant's reply, if any, is due on or before August 29, 2008.

This Office was unable to contact plaintiff to obtain consent to this request.

We apologize for the delay in making this request and thank the Court for its consideration of this matter.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:



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(BY MAIL)